

Message Text

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ACTION EB-08

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E.O. 11652: N/A
TAGS: EMIN, EINV, EFIN, EALR, AS
SUBJ: D.M. MINERALS SEEKS GOVERNMENT COMPENSTATION FOR LOSS OF
MINERAL SANDS VENTURE

REF: (A) 76 CANBERRA A-130, (B) CANBERRA A-001

1. D.M. MINERALS, PARTNERSHIP OF DILLINGHAM CONSTRUCTIONS
(U.S. COMPANY) AND MURPHYORES, ANNOUNCED APRIL 1, 1977, IT
HAS RESPONDED TO GOA'S INVITATION TO SUBMIT CLAIM FOR
COMPENSATION FOR ENFORCED CESSATION OF SANDMINING ON FRASER
ISLAND. CLAIM FOR \$A23 MILLION WAS DELIVERED TO J.D. ANTHONY,
MINISTER FOR NATIONAL RESOURCES. MINING OPERATIONS CEASED
DECEMBER 31, 1976, AFTER FRASER ISLAND ENVIRONMENTAL INQUIRY
RECOMMENDED THAT MINERAL SANDS MINING ON FRASER ISLAND BE
HALTED TO PRESERVE THE ENVIRONMENT (REFAIR A).

2. D.B. HILL, MANAGING DIRECTOR, D.M. MINERALS, SAID CLAIM
WAS BASED ON THREE GROUNDS: GOA' DECISION TO HALT MINERAL
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SANDS EXPORTS REPRESENTED BREACH OF COMMITMENT; IN STOPPING
EXPORTS, GOA GAVE RETROSPECTIVE EFFECT TO NEWLY
FORMULATED POLICY TO COVER FUTURE PROPOSALS FOR NEW
VENTURES; AND GOA DECISION DEPRIVED D.M. MINERALS OF
SUBSTANTIAL ASSET.

3. COMMENT: GOA REACTION TO CLAIM HAS BEEN

NONCOMMittal AND MAY BE SO FOR SOME TIME AS J.D. ANTHONY,
MINISTER FOR NATIONAL RESOURCES, IS SCHEDULED TO BE OUT
OF COUNTRY FOR ABOUT A MONTH. ANTHONY'S DEPARTMENT WILL
BE CENTER OF ACTIVITY FOR THIS CLAIM ALTHOUGH SEVERAL
GOVERNMENT DEPARTMENTS ARE INVOLVED.

4. D.M. MINERALS CLAIM EXCEEDS \$A5 MILLION FIGURE THAT
GOA PREVIOUSLY STATED AS EQUITABLE COMPENSATION TO
COMPANIES FOR LOSS OF SANDMINING VENTURE (REFAIR B).
ALSO, QUEENSLAND GOVERNMENT WAS TO RECEIVE \$A5 MILLION FOR
JOB CREATING WORK PROGRAMS FOR REGION AFFECTED BY SAND
MINING HALT.

5. D.M. MINERALS' REFERENCE TO RETROSPECTIVE EFFECT OF
NEW POLICY AND LAW REFERS TO FACT THAT D.M. MINERALS WAS
GRANTED EXPORT LICENSE PRIOR TO ENACTMENT OF ENVIRONMENT
PROTECTION (IMPACT OF PROPOSALS) ACT 1974. THIS ACT WAS
TO APPLY ONLY TO NEW MINING VENTURES, BUT IT PROVIDED
FOR ENVIRONMENTAL INQUIRY WHOSE FINDINGS RESULTED IN
CLOSURE OF MINING VENTURE WHICH AHD BEEN APPROVED BEFORE
ACT BECAME LAW.

6. D. B. HILL OF DILLINGHAM WILL KEEP EMBASSY BRIEFED
ON THESE DEVELOPMENTS. COPY OF COMPENSATION CLAIM HAS
BEEN REQUESTED FROM HILL AND UPON RECEIPT IT WILL BE
POUCHED TO DEPARTMENT. END COMMENT.

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Message Attributes

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